

Notice of Allowability

Application No.

10/609,180

Examiner

Kamran Afshar, 571-272-7796

Applicant(s)

KRISHNAN, ARJUN

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/29/2005.
2. ☒ The allowed claim(s) is/are 1-13, 15-21 and 23-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 06/27/2003
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Kamran Afshar, 571-272-7796
Patent Examiner
Art Unit: 2681

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Andrew T. Spence, Reg. No. 45,699 on 12/29/2005.

The application has been amended as follows:

In The Claims:

1. (Currently Amended) A method of delivering a service to a mobile station comprising: receiving an alert message to thereby initiate a call to the mobile station, wherein the alert message is received by the mobile station from a network entity over a traffic channel; and entering one of a conversation and information transfer state based upon the alert message without the initiated call first being answered, wherein ~~the entering~~ one of the conversation and information transfer state ~~is entered~~ includes:

transmitting a message in response to the alert message without the initiated call first being answered, wherein the message is transmitted over the traffic channel from the mobile station to the network entity, and

wherein the message is transmitted to establish a communication link with the mobile station over the traffic channel, the communication link being established to deliver such that the service can be delivered to the mobile station over the communication link.

2. (Currently Amended) A method according to Claim 1, wherein ~~entering one of a conversation and information transfer state~~ transmitting a message comprises: ~~transmitting a connect message in response to the alert message without the initiated call first being answered, wherein the connect message is transmitted over the traffic channel from the mobile station to the network entity; and~~

wherein entering one of the conversation and information transfer state further includes establishing a the communication link with the mobile station over the traffic channel such that the service can be delivered to the mobile station over the communication link.

Art Unit: 2681

3. (Currently Amended) A method according to Claim 21, wherein transmitting a ~~connect~~ message comprises transmitting a ~~connect~~-message without first waiting for an answer to the call.

4. (Currently Amended) A method according to Claim 21, wherein the service comprises a voice message, and wherein the method further comprises activating a voice message application to thereby receive the voice message delivered to the mobile station over the communication link.

5. (Original) A method according to Claim 1 further comprising:
delivering the service, wherein the service comprises at least one a voice message, a voice clip, a video clip and a multimedia clip.

6. (Original) A method according to Claim 1 further comprising configuring the mobile station to receive the service without the initiated call first being answered, wherein the mobile station is configured before receiving the alert message.

7. (Original) A method according to Claim 1, wherein receiving an alert message comprises receiving an alert message from a network entity comprising a Base Station/MSC/Interworking function (BMI).

8. (Original) A method according to Claim 1 further comprising:
alerting a user of the call after receiving the alert message such that the user can answer the incoming call, wherein entering one of a conversation and information transfer state comprises entering one of a conversation and information transfer state if the user does not answer the incoming call.

9. (Currently Amended) A mobile station comprising:
a receiver ~~capable of receiving~~ adapted to receive an alert message over a traffic channel from a network entity to thereby initiate a call to the mobile station, the call being initiated to thereby provide a service to the mobile station; and
a controller ~~capable of~~ configured such that the mobile station receives the service without the initiated call first being answered, wherein the controller is adapted to entering one of a conversation and information transfer state based upon the alert message without the initiated call first being answered, wherein the one of the conversation and information transfer state is entered ~~such that to provide the service to the mobile station~~ can receive a service.

10. (Currently Amended) A mobile station according to Claim 9 further comprising:

Art Unit: 2681

a transmitter ~~capable of being adapted to be~~ directed by the controller to transmit a connect message over the traffic channel to the network entity in response to the alert message, wherein the connect message is transmitted without the initiated call first being answered, and

wherein the controller is ~~capable of operating~~ adapted to operate the receiver and transmitter to thereby establish a communication link over the traffic channel ~~such that the receiver can being adapted to~~ thereafter receive the service over the communication link.

11. (Currently Amended) A mobile station according to Claim 10, wherein the transmitter is ~~capable of transmitting~~ adapted to transmit the connect message without the mobile station first waiting for an answer to the call.

12. (Currently Amended) A mobile station according to Claim 10, wherein the service comprises a voice message, and wherein the controller is further ~~capable of activating~~ adapted to activate a voice message application to thereby receive the voice message received by the receiver over the communication link.

13. (Currently Amended) A mobile station according to Claim 9, wherein the receiver is ~~capable of receiving~~ adapted to receive a service comprising at least one a voice message, a voice clip, a video clip and a multimedia clip.

14. (Cancelled)

15. (Currently Amended) A mobile station according to Claim 9, wherein the receiver is ~~capable of receiving~~ adapted to receive an alert message from a network entity comprising a Base Station/MS/Interworking function (BMI).

16. (Currently Amended) A mobile station according to Claim 9, wherein the controller is ~~capable of alerting~~ adapted to alert a user of the call after the receiver receives the alert message such that the user can answer the incoming call, and wherein the controller is ~~capable of entering~~ adapted to enter one of a conversation and information transfer state if the user does not answer the incoming call.

17. (Currently Amended) A system for delivering a service to a mobile station comprising:
a network entity ~~capable of initiating~~ adapted to initiate a call by transmitting an alert message over a traffic channel, the call being initiated to thereby provide a service; and
a mobile station ~~capable of receiving~~ adapted to receive the service without the call initiated by the network entity first being answered by the mobile station, wherein the mobile station is adapted to

Art Unit: 2681

receive the alert message, and thereafter entering one of a conversation and information transfer state based upon the alert message without the initiated call first being answered, and wherein the one of the conversation and information transfer state is entered ~~such that~~ to thereby deliver the service ~~can be delivered~~ to the mobile station.

18. (Currently Amended) A system according to Claim 17, wherein the mobile station is ~~capable of entering~~ adapted to enter one of the conversation and information transfer state by:

receiving the alert message, and thereafter transmitting a connect message in response to the alert message without the call initiated by the network entity first being answered, wherein the mobile station is ~~capable of transmitting~~ adapted to transmit the connect message over the traffic channel,

wherein the network entity is ~~capable of establishing~~ adapted to establish a communication link with the mobile station at least partially over the traffic channel ~~such that~~ to thereby deliver the service ~~can be delivered~~ to the mobile station over the communication link.

19. (Currently Amended) A system according to Claim 18, wherein the mobile station is ~~capable of transmitting~~ adapted to transmit the connect message without first waiting for an answer to the call.

20. (Currently Amended) A system according to Claim 18, wherein the service comprises a voice message, and wherein the mobile station is further ~~capable of activating~~ adapted to activate a voice message application to thereby receive the voice message delivered to the mobile station over the communication link.

21. (Currently Amended) A system according to Claim 17, wherein the mobile station is ~~capable of entering~~ adapted to enter one of the conversation and information transfer state ~~such that~~ to thereby deliver the service comprising at least one a voice message, a voice clip, a video clip and a multimedia clip ~~can be delivered~~ to the mobile station.

22. (Cancelled)

23. (Original) A system according to Claim 17, wherein the network entity comprises a Base Station/MSC/Interworking function (BMI).

24. (Currently Amended) A system according to Claim 17, wherein the mobile station is ~~capable of alerting~~ adapted to alert a user of the call after the receiver receives the alert message such that the user can answer the incoming call, and wherein the mobile station is ~~capable of entering~~ adapted

Art Unit: 2681

to enter one of a conversation and information transfer state if the user does not answer the incoming call.

25. (Currently Amended) A wireless communication system for delivering a service to a receiving entity comprising:

a network entity ~~capable of initiating~~ adapted to initiate a call by transmitting an alert message over a traffic channel, the call being initiated to thereby provide a service; and

a wireless receiving entity ~~capable of receiving~~ adapted to receive the service without the call initiated by the network entity first being answered by the wireless receiving entity, and wherein the wireless receiving entity is adapted to receive the alert message, and thereafter entering one of a conversation and information transfer state without the initiated call first being answered such that to thereby deliver the service can be delivered to the wireless receiving entity, and

wherein one of the conversation and information transfer state is entered to establish a communication link with the wireless receiving entity over the traffic channel.

26. (Previously Presented) A method according to Claim 1, wherein entering one of a conversation and information transfer state comprises entering one of a conversation and information transfer state based upon the alert message without the initiated call first being answered by a user of the mobile station.

27. (Currently Amended) A mobile station according to Claim 9, wherein the controller is ~~capable of entering~~ adapted to enter one of a conversation and information transfer state based upon the alert message without the initiated call first being answered by a user of the mobile station.

28. (Currently Amended) A system according to Claim 17, wherein the mobile station is ~~capable of receiving~~ adapted to receive the alert message, and thereafter entering one of a conversation and information transfer state based upon the alert message without the initiated call first being answered by a user of the mobile station.

Allowable Subject Matter

2. Claims 1-13, 15-21 and 23-28 are allowed.

The following is an examiner's statement of reasons for allowance: 1-13, 15-21 and 23-28.

With respect to claim 1, the prior art of record fails to disclose singly or in combination or render obvious that the alert message is received by the mobile station from a network entity over a traffic

Art Unit: 2681

channel; and entering one of a conversation and information transfer state based upon the alert message without the initiated call first being answered, wherein entering one of the conversation and information transfer state includes: transmitting a message in response to the alert message without the initiated call first being answered, wherein the message is transmitted over the traffic channel from the mobile station to the network entity, and wherein the message is transmitted to establish a communication link with the mobile station over the traffic channel, the communication link being established to deliver the service to the mobile station over the communication link.

With respect to claim 9, the prior art of record fails to disclose singly or in combination or render obvious that the receiver adapted to receive an alert message over a traffic channel from a network entity to thereby initiate a call to the mobile station, the call being initiated to thereby provide a service to the mobile station; and a controller configured such that the mobile station receives the service without the initiated call first being answered, wherein the controller is adapted to enter one of a conversation and information transfer state based upon the alert message without the initiated call first being answered, wherein the one of the conversation and information transfer state is entered to provide the service to the mobile station.

With respect to claim 17, the prior art of record fails to disclose singly or in combination or render obvious that the network entity adapted to initiate a call by transmitting an alert message over a traffic channel, the call being initiated to thereby provide a service; and a mobile station adapted to receive the service without the call initiated by the network entity first being answered by the mobile station, wherein the mobile station is adapted to receive the alert message, and thereafter entering one of a conversation and information transfer state based upon the alert message without the initiated call first being answered, and wherein the one of the conversation and information transfer state is entered to thereby deliver the service to the mobile station.

With respect to claim 25, the prior art of record fails to disclose singly or in combination or render obvious that the a network entity adapted to initiate a call by transmitting an alert message over a traffic channel, the call being initiated to thereby provide a service; and a wireless receiving entity adapted to receive the service without the call initiated by the network entity first being answered by the wireless receiving entity, and wherein the wireless receiving entity is adapted to receive the alert message, and thereafter enter one of a conversation and information transfer state without the initiated call first being answered to thereby deliver the service to the wireless receiving entity, and wherein one of the conversation and information transfer state is entered to establish a communication link with the wireless receiving entity over the traffic channel.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Jang (U.S. Pub. No.: 2003/0232629 A1), which discloses System and method for providing a voice call waiting during an active data call.

b) Patel (U.S. Pub. No.: 2004/0203469 A1), which discloses Method of reducing latency for non-call delivery paging.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Kamran Afshar whose telephone number is (571) 272-7796. The examiner can be reached on Monday-Friday.

If attempts to reach the examiner by the telephone are unsuccessful, the examiner's supervisor, **Feild, Joseph** can be reached @ (571) 272-4090. The fax number for the organization where this application or proceeding is assigned is **571-273-8300** for all communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Kamran Afshar


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER